



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/810,949	03/16/2001	Toshihiro Shima	04783/018001	3378

22511 7590 10/24/2006

OSHA LIANG L.L.P.
1221 MCKINNEY STREET
SUITE 2800
HOUSTON, TX 77010

EXAMINER

POON, KING Y

ART UNIT	PAPER NUMBER
----------	--------------

2625

DATE MAILED: 10/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/810,949

Applicant(s)

SHIMA, TOSHIHIRO

Examiner

King Y. Poon

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 August 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4-15,30 and 34-47 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 7,37 and 45-47 is/are allowed.
- 6) ☒ Claim(s) 1,4-6,8-15,30 and 34-44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>7/13/2006</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 4, 8, 9, 13, 14, 15, 34, 38-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barry et al (US 5,859,711) in view of Gyllenskog (US 5,633,992).

Regarding claim 1: Barry teaches a printer (fig. 4) to be connected to a host machine (workstation, column 4, lines 25-35), comprising: job accepting means for accepting a series of reception data from said host machine (column 4, lines 55-65), wherein the series of reception data comprises a plurality of print job data (column 5, lines 1-5), and wherein the plurality of print job data comprises a plurality of print jobs in succession (serial of pages, column 4, lines 40-45, serial manner, column 4, lines 57-60); extracting means (column 4, lines 55-60, the software that parsed pages/jobs) that extracts a print job in the plurality of print jobs from the series of reception data to create an accepted job, wherein extracting the print job comprises: accepting data in the series (column 4, lines 55-60) of reception data from a start-end pattern data to an end-edge pattern data to obtain accepted data (column 4, lines 45-55); and grouping the accepted data into the accepted job (column 4, lines 60-67, column 5, lines 1-5); assigning means (the software that associate individual page e.g., page number, column 19, lines 1-5) for

Art Unit: 2625

issuing identifying information for the accepted job and assigning the issued identifying information; job managing means (processor, column 4, lines 35, fig. 13, column 15, lines 25-57) for managing the accepted job on the basis of the identifying information to obtain a managed job; generating means for generating, as a process for the job (column 29, lines 35-55, generating image data for the print engine after processing the job data), image data on the basis of the managed job; and print means (print engine of column 6, lines 7-30) for control to print on a print recording medium on the basis of the generate image data.

Barry does not disclosed how the print jobs are received.

Gyllenskog, in the same area of transmitting and receiving print data, teaches computer and printers are conventionally used RAW-mode physical channel (column 5, lines 52-67) for communicating data in series.

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Barry to include: using RAW-mode physical channel for communicating data in series.

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have provided Barry system with a conventional communication method of communicating data used by printers and computer as taught by Gyllenskog because: (a) using a conventional method would save users a lot of money and effort in doing research and (b) it would have allowed Barry's invention to be widely used by using Barry's invention in conventional printer/computer system and benefit the conventional printer/computer system as well.

Regarding claim 4: Barry teaches spool means (disk, column 17, lines 6-25) for storing the print job data assigned with the job identifying information to be outputted in a predetermined order, said generating means interpreting the print job data (translate with printer profile, column 28, lines 27-38, column 28, lines 46, column 29, lines 35-40) to be outputted from said spool means and generating image data.

Regarding claim 8: Barry teaches job manage request accepting means for accepting a job manage request containing identifying information (the software that accepted print job signal from the host, column 4, lines 35-65, print job information is job manage request containing page identifying information), from said host machine.

Regarding claim 9: Barry teaches wherein said job managing means specifies a predetermined job on the basis of identifying information contained in the accepted job manage request (column 5, lines 1-40).

Regarding claim 13: Barry teaches wherein at least any of said job manage request accepting means, said generating means and said printing means notifies said job managing means of a status of a process for the job (fig. 33, column 5, lines 38-40, column 20, lines 64-67, column 21, lines 1-12).

Regarding claim 14: Barry teaches wherein job managing means notifies a predetermined host machine (the host that display to a user, column 33, line 55) of the status of a process notified from at least any of said job accepting means, said generating means and said printing means.

Regarding claims 15, 34, 38-44: Gyllenskog teaches wherein the RAW-mode physical channel is at least one selected from a serial interface, a parallel interface and a USB interface (column 5, lines 55-65).

3. Claims 5, 6, 30, 35, 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barry and Gyllenskog as applied to claims 1, 4 above, and further in view of Reilly et al (US 5,754,747).

Regarding claims 5, 30: Barry teaches the print jobs are written in a form of page description language to be transmitted to the printer for interpretation (column 17, lines 1-15).

Barry does not teach wherein said extracting means searches for predetermined language identifying information from among the series of reception data and specifies a language kind of the print job data to be extracted.

Reilly, in the same area of sending page description language print jobs to a printer for interpretation, teaches print job are written in different kinds of languages and it would require different interpreter to interpret the different kinds of language (column 6, lines 1-17. Note: In order for a machine to distinguish the different kind of languages, the print job must have language identifying information to be search by the print job extraction means.

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Barry to include: the extracting means searches for predetermined language identifying information from among the

series of reception print job data and specifies a language kind of the print job data to be extracted.

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Barry by the teaching of Reilly because of the following reasons: (a) it would have allowed Barry's system to accept print job created using different languages from different computer systems of different users; (b) it would have generated more users using Barry's invention and thereby, increase productivity to generate more profit; and (c) increase in productivity would reduce the cost of producing the product and thereby; consumer would benefit by paying a lesser price.

Regarding claim 6: Barry teaches wherein the extracting means extracts print job data from among the series of reception data on the basis of end-edge pattern data corresponding to the specified language kind (see discussion of claim 1 and 5).

Note: the end-edge pattern data is being interpreted as the data that would allow the system to detect the end of a print job.

Regarding claims 35, 36: Gyllenskog teaches wherein the RAW-mode physical channel is at least one selected from a serial interface, a parallel interface and a USB interface (column 5, lines 55-65).

4. Claims 10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barry and Gyllenskog as applied to claim 9 above, and further in view of Kurachi (US 6,181,436).

Regarding claim 10: Barry does not teach wherein said job managing means controls at least any of said job accepting means, said generating means and said printing means to suspend from processing the job specified on the basis of the identifying information where the accepted job manage request is a job cancel request.

Kurachi, in the same area of job managing teaches wherein said job managing means controls at least any of said job accepting means, said generating means and said printing means to suspend from processing the job specified on the basis of the identifying information where the accepted job manage request is a job cancel request (stop or deletion of a print job, column 11, lines 50-53, fig. 5).

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Barry to include: wherein said job managing means controls at least any of said job accepting means, said generating means and said printing means to suspend from processing the job specified on the basis of the identifying information where the accepted job manage request is a job cancel request, such that: a user would be in control of canceling his print job if the user decided that he don't want the print job anymore; would have allowed papers/trees to be saved from printing unwanted print job, and provide happier customers.

Regarding claim 11: Kurachi teaches wherein the respective ones of said job manage request accepting means, said generating means and said printing means process for a job other than the specified job where controlled by said job managing means to suspend a process for the specified job (user can select a tentative stop for

Art Unit: 2625

the process of the print job, column 11, lines 38-44; note: the stop is for the selected print job; therefore would not affect the process of the other print jobs).

Regarding claim 12: Kurachi, wherein said job managing means controls said printing means before controlling said job accepting means and said generating means (inherent properties of a CPU, column 7, lines 45-46; a CPU controls different devices at different time; i.e., at a certain time, the printing means must be controlled before other devices).

Allowable Subject Matter

5. Claims 7, 37, 45-47 are allowed.

Response to Arguments

6. Applicant's arguments with respect to claims 1, 4-6, 8-15, 30-44 have been considered but are moot in view of the new ground(s) of rejection. Please see detailed action.

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

Art Unit: 2625

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to King Y. Poon whose telephone number is 571-272-7440. The examiner can normally be reached on Mon-Fri 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached on 571-272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2625

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

October 20, 2006

10/20/06


KING Y. POON
PRIMARY EXAMINER